FROM ROGITZ 619 338 8078

BEST AVAILABLE COPY

CASE NO.: JP920020250US1

Serial No.: 10/707,389

November 21, 2006

Page 2

PATENT Filed: December 10, 2003

combination circuit which generates a change instruction to change the combination of voltages supplied by the power supply unit", as well as the "state value changing combination circuit which changes the state values one by one in a predetermined order corresponding to a target combination of voltages when the change instruction is received to change the combination of voltages supplied by the power supply unit."

What the industrious five lines actually teach is that a microcontroller is programmable through its input/output port to establish a desired voltage output by a buck converter. The way the microcontroller responds to its input program command is to establish the duty cycle of the pulse width-modulated signals it sends to the buck converter. Nowhere does the relied-upon section of Ostojic (or anywhere else in Ostojic as best Applicant can tell) mention that, in contrast to Claims 9, 10, and 14, various state values are stored in the (unmentioned but allegedly inherent) registers of the microcontroller. That is, even if the microcontroller inherently has registers, in contrast to the claims being rejected those registers do not appear to store state values. Instead, as observed above the microcontroller appears to establish one pulse width modulation (and its corresponding effect, one buck converter output voltage) at a time in response to programming received at the I/O port of the microcontroller. Far from being "inherent" as alleged in the rejection, the microcontroller in fact does not appear to store plural state values at all, if the explicit teachings of Ostojic are to be believed.

Further, the relied-upon AAPA (paragraph 5 of the present specification) states only that a sequence in which power supplies are turned on is specified by a standard. In marked contrast, Claim 9 requires changing not just the sequence but also the state values one by one, and to do it not in accordance with a standard but rather when the change instruction is received. Accordingly, it appears that the rejection has two defects, namely, that combining the alleged AAPA with Ostojic as proposed would not arrive at Claim 9, and

1201-34.AMI

BEST AVAILABLE COPY

CASE NO.: JP920020250US1

Serial No.: 10/707,389 November 21, 2006

Page 3

PATENT

Filed: December 10, 2003

further that since Ostojic. col. 4, line 43 et seq. actually undertakes the sequencing already, tossing in the AAPA, in which a standard is used to specify a sequence, would be superfluous and hence not properly suggested. For this reason, Applicant respectfully asserts that the claims are patentable.

In addition, Applicant cannot acquiesce that the limitations of Claims 12 and 13, admittedly missing from Ostojic and AAPA, are "well known". Absent evidence of this allegation plus evidence of a suggestion to combine the inherently "well known" feature in the way claimed, the rejections fall. Because disabling a clock generator is simply not in the league of the examples of notorious and unquestioned facts (such as adjusting flame intensity for desired heat level) contemplated by MPEP §2144, the rejections fail to comply with the MPEP. Should the rejections be persisted in, a prior art showing of the allegedly well known feature, along with evidence of the requisite suggestion to combine it with the other claimed elements, is seasonably requested under MPEP §2144.03.

The Examiner is cordially invited to telephone the undersigned at (619) 338-8075 for any reason which would advance the instant application to allowance.

Respectfully submitted,

John L. Rogitz

Registration No. 33,549

Attorney of Record

750 B Street, Suite 3120

San Diego, CA 92101

Telephone: (619) 338-8075

JLR:jg

1201-34.AM1